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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,511	11/30/2000	Hiroaki Ishizuka	197792US28	8903
22850 7590 06/13/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRAN, HAI	
			ART UNIT 3693	PAPER NUMBER
			NOTIFICATION DATE 06/13/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/725,511

Applicant(s)

ISHIZUKA, HIROAKI

Examiner

Hai Tran

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3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/19/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgements

1. The examiner for this application has changed. Please indicate Examiner Hai Tran as the examiner of record in all future correspondences.
2. This is the Final Office Action in response to Applicant's amendment filed on March 19, 2007. Claims 1 and 24 have been amended.
3. Claims 1-46 are pending in this application.

Claim Rejections - 35 USC § 112

4. Applicant's amendment to claims 1 and 24 to clarify claims 19 and 42 has been considered and the amendment has overcome the 112, second paragraph rejection; hence, the rejection is withdrawn.

Response to Arguments

5. Applicant's arguments with respect to claims 1-46 filed on 3/19/2007 have been considered but are moot in view of new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 16-19, 22-30, 39-42, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardenswartz et al. (U.S. Patent No. 6,055,573) ("Gardenswartz") in view of Boesch et al. (U.S. Patent No. 6,092,053) ("Boesch").

8. Gardenswartz discloses a method, system and computer program product for delivering a targeted advertisement based on a customer's off-line purchase history (Abstract).

9. **Regarding Claims 1 and 24**, with respect to a method and system of communicating, comprising the steps of: storing a customer's financial information in a supplier computer system based on an off-line transaction of a completed purchase or lease of equipment between a customer and a supplier (see col. 10, lines 35-63, figure 6/elements 50, 51, 52); beginning an on-line purchase, subsequent to the completed off-line transaction, by the customer with the supplier and communicating to a server computer by the customer (see col. 13, lines 51-24, figure 9/elements 78, 80, 82 and note below); determining whether the customer is an acceptable credit risk for the on-line purchase using the customer's financial information in the supplier computer system and which is based on the off-line transaction (see figure 8/element 70, col. 12., lines 65-67, figure 10/element 1000, col. 15, lines 19-40); communicating to the customer that the on-line purchase has been approved, when said determining step determines that the customer is an acceptable credit risk (see figure 10/element 1002, col. 15, lines 41-54).

10. Gardenswartz teaches delivering a targeted advertisement online based on the customer's off-line purchase history, but does not expressly disclose that the purchases

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are on-line, offline or both. However, Boesch teaches a system and method where certain consumer information is stored on a server and is provided to a merchant to allow the consumer to purchase a product or service on-line in an easy and safe manner (Abstract).

11. It would have been obvious to combine the teachings of Gardenswartz, related to communicating with consumer over the network, with the teachings of Boesch, related to electronic commerce allowing consumers to purchase items on-line and merchants to receive payment information relating to the purchases, to offer an improved electronic commerce system as described in Gardenswartz at (see col. 7, lines 51-54).

12. **Regarding Claims 2 and 25**, Gardenswartz teaches storing the customer's financial information based on a lease or value contract (see col. 3, lines 61-65).

13. **Regarding Claims 3-5 and 26-28**, these claims involve identifying a particular type of transaction whereby financial information is obtained. The particular transactions described are leases or purchases of copying and imaging equipment. Although Gardenswartz does not expressly teach purchasing or leasing an image forming device (i.e. copier, facsimile machine, etc.), the Examiner interprets that the customer's offline purchase history would have included a purchase of an image forming device as such device is so popular in today's computer world.

14. **Regarding Claims 6-7 and 29-30**, Gardenswartz teaches determining the customer is an acceptable credit risk based on the purchase history database for receiving a value contract offer and offering a new value contract (see figure 1/element 16, col. 6, lines 63-10 of col. 7, figure 10/elements 1000, 1014, col. 15, lines 19-40, col.

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16, lines 56-2 of col. 17). The Examiner interprets that the customer would not be offered a new value contract if he did not have up-to-date payments on previous value contract.

15. **Regarding Claims 16-18 and 39-41**, Gardenswartz does not expressly teach debiting a bank account electronically and charging a third party credit card for the on-line transaction. Boesch teaches using consumer's personal information (e.g. credit card number, etc.) to complete the transaction (see col. 3, lines 55-61). One of ordinary skill in the art would have combined the teachings of Gardenswartz with the teaching of Boesch to offer an improved electronic commerce system as described in Gardenswartz at (see col. 7, lines 51-54).

16. **Regarding Claims 19 and 42**, Gardenswartz does not expressly teach issuing a paper bill if financial information is not valid. Boesch teaches a method and system comprising: issuing a paper bill for said transaction if said financial information is not valid (see address at col. 3, lines 55-61). One of ordinary skill in the art would have combine the teachings of Gardenswartz with the teaching of Boesch to offer an improved electronic commerce system as described in Gardenswartz at (see col. 7, lines 51-54).

17. **Regarding Claims 22-23 and 45-46**, Gardenswartz teaches that if a customer purchases products through the on-line purchase are different than the offline purchase history, the customer is reclassified by assigning an updated purchase behavior classification (see col. 4, lines 13-24).

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18. Claims 8-15, 20-21, 31-38, and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardenswartz in view of Boesch and further in view of Official Notice.

19. **Regarding Claims 8-15, 20-21, 31-38, and 43-44**, these claims focus exclusively on bill distribution and presentment. These claims are unrelated to the concept of using previously acquired off-line information in making a credit risk determination to a current transaction. The Examiner takes an Official Notice of these claims, and observes that it would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to modify the teachings of Gardenswartz in combination with Boesch to include a variety of bill presentment options. The motivation for such a combination is within the general knowledge of one of ordinary skill in the art and is simply to provide as many options as possible, to both vendor and customer, so as to facilitate prompt payment.

20. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

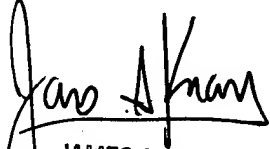
Conclusion

21. Claims 1-46 are rejected.
22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
23. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7364. The examiner can normally be reached on M-F, 9-4 PM.
25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT

 6/4/07
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